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CLERK, U.S. DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

9/1/08

BY

DEPUTY

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

January 2007 Grand Jury

10	UNITED STATES OF AMERICA,	)	Criminal Case No. <u>08CR0139-BEN</u>
)	
11	Plaintiff,	)	<u>I N D I C T M E N T</u>
		)	(Superseding)
12	v.)	
		)	Title 21, U.S.C., Secs. 952 and
13	RAUL TORRES-GARCIA (T/N),	)	960 - Importation of Marijuana;
	aka Alberto Jose del	)	Title 21, U.S.C., Sec. 841(a)(1) -
14	Muro-Guerrero,	)	Possession of Marijuana with
		)	Intent to Distribute; Title 8,
15	Defendant.	)	U.S.C., Secs. 1326(a) and (b) -
		)	Attempted Entry After Deportation;
16		)	Title 18, U.S.C.,
		)	Sec. 1028A(a)(1) - Aggravated
17		)	Identify Theft

The grand jury charges:

Count 1

On or about January 7, 2008, within the Southern District of California, defendant RAUL TORRES-GARCIA (T/N), aka Alberto Jose del Muro-Guerrero, did knowingly and intentionally import 100 kilograms and more, to wit: approximately 108.08 kilograms (237.78 pounds) of marijuana, a Schedule I Controlled Substance, into the United States from a place outside thereof; in violation of Title 21, United States Code, Sections 952 and 960.

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RSK:nlv:Imperial
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Count 2

On or about January 7, 2008, within the Southern District of California, defendant RAUL TORRES-GARCIA (T/N), aka Alberto Jose del Muro-Guerrero, did knowingly and intentionally possess, with intent to distribute, 100 kilograms and more, to wit: approximately 108.08 kilograms (237.78 pounds) of marijuana, a Schedule I Controlled Substance; in violation of Title 21, United States Code, Section 841(a)(1).

Count 3

On or about January 7, 2008, within the Southern District of California, defendant RAUL TORRES-GARCIA (T/N), aka Alberto Jose del Muro-Guerrero, an alien, knowingly and intentionally attempted to enter the United States of America with the purpose, i.e., conscious desire, to enter the United States without the express consent of the Attorney General of the United States or his designated successor, the Secretary of the Department of Homeland Security, after having been previously excluded, deported and removed from the United States to Mexico, and not having obtained said express consent to reapply for admission thereto; and committed an overt act to wit, crossing the border from Mexico into the United States, that was a substantial step toward committing the offense, all in violation of Title 8, United States Code, Sections 1326(a) and (b).

It is further alleged that defendant RAUL TORRES-GARCIA (T/N), aka Alberto Jose del Muro-Guerrero, was removed from the United States subsequent to June 9, 2004.

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Count 4

On or about January 7, 2008, within the Southern District of California, defendant RAUL TORRES-GARCIA (T/N), aka Alberto Jose del Muro-Guerrero, during and in relation to a violation of Title 8, United States Code, Sections 1326(a) and (b), knowingly possessed and used, without lawful authority, a means of identification of another person, to wit: a copy of a state California Birth Certificate and a counterfeit identification card bearing the name of Alberto Jose del Muro-Guerrero; in violation of Title 18, United States Code, Section 1028A(a)(1).

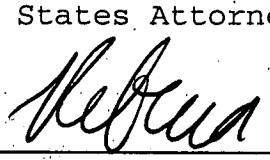
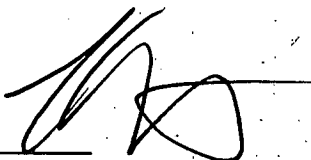
DATED: March 5, 2008.

A TRUE BILL:


Foreperson

KAREN P. HEWITT
United States Attorney

By:

 
REBECCA S. KANTER
Assistant U.S. Attorney